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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,591	07/29/2002	Michael Wollitzer	2134-022	6844

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LOWE HAUPTMAN GILMAN AND BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300 /310
ALEXANDRIA, VA 22314

EXAMINER	
NGUYEN, TUNG X	

ART UNIT	PAPER NUMBER
2829	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/088,591	WOLLITZER, MICHAEL
	Examiner	Art Unit
	Tung X. Nguyen	2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) *9-17* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 18-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-5, 8, 18-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Godshalk et al. (u.s.p 5,506,515), in view of Burr et al. (u.s.p 5,565,788).

As to claim 1, Godshalk et al. disclose in Figs. 4, 5a-d, a probe for measuring high frequencies comprising: a contact end (118 of figure 4) for contacting planar structures and a co-axial cable end (46 of figure 4) for connection to a co-axial cable (40 of figure 4); a co-planar conductor structure (74 of figure 4) having at least two conductors (70, 72a-b of figure 4) arranged between the contact end (118) and the co-axial cable end (48); a solid dielectric (42 of figure 4) mounting the co-planar conductor structure (74, 95 of figure 4); each conductor (70, 72 a-b of figure 4) in the co-planar conductor structure (74) including a portion formed to be individually free in space and resilient in relation to the dielectric (col. 11, lines 30-35); a respective gap (103 of figure 5d) being formed between each pair of conductors (70, 72a-b) in the co-planar conductor structure from the co-axial cable end to the contact end for obtaining a constant characteristic impedance from the co-axial cable end to the contact end (col. 9, lines 1-15). Godshalk et al. do not teach the dielectric being arranged on the at least one side of the co-planar conductor structure in a central section of the probe. However,

Burr et al. disclose in Figs. 5, 5A, the dielectric being (88 of figure 5A) arranged on the at least one side of the co-planar conductor structure in a central section of the probe (94 of figure 5A), so the dielectric is between and spaced from the co-axial cable end and the contact end (fig. 5) for matching the impedance with the transmission line (col. 5, lines 20-30). Therefore, It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system of Godshalk et al., and provide the dielectric, as taught by Burr et al., for matching the impedance with the transmission line (col. 5, lines 20-30).

As to claim 2, Godshalk et al. disclose in Fig. 5d, the respective gap (at the end of cable end) in the region within the dielectric is wider in the region where the conductor structure is mounted on the dielectric than in the portion of the co-planar conductor structure (74, 96 of figure 5d) that is formed to be individually free in space and resilient in relation to the dielectric.

As to claim 3, Godshalk et al. disclose in Figs. 4, 5a-d, the dielectric (42 of figure 4) includes at least one block of quartz.

As to claim 4, Godshalk et al. disclose in Figs. 4, 5a-d, a face of the dielectric (42 of figure 4) includes a metal coating (43 of figure 4) that is electrically connected to the co-planar conductor structure (70, 72a, 72b of figure 4) and has substantially the same shape as the co-planar conductor structure.

As to claims 5, 18 Godshalk et al. disclose in Figs. 4, 5a-d, the dielectric (42 of figure 4) is metallished over its full area on a side (43 of figure 4) thereof remote from a face of the dielectric (42) that contacts the co-planar conductor structure (70, 72a, 72b).

As to claim 8, Godshalk et al. disclose in Figs. 4, 5a-d, the dielectric (42 of figure 4) is on both sides of the co-planar conductor structure.

As to claim 19, Godshalk et al. disclose in Figs. 4, 5a-d, each side of the dielectric (42 of figure 4) has a face that contacts the co-planar conductor structure and includes a metal coating that is electrically connected to the co-planar conductor structure and has substantially the same shape as the co-planar conductor structure (fig. 4).

As to claim 20, Godshalk et al. disclose in Figs. 4, 5a-d, the dielectric (42 of figure 4) is metallished over its full area on a side (43 of figure 4) thereof remote from a face of the dielectric (42) that contacts the co-planar conductor structure (70, 72a, 72b).

3. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godshalk et al. (u.s.p 5,506,515), in view of Roach (u.s.p 5,512,838).

As to claim 6, Godshalk et al., disclose in Figs. 4-5, all of the limitations except for a planar circuit arranged at the co-axial cable end. However, Roach disclose in Fig. 1B, a planar circuit (16 of figure 1B) arranged at the co-axial cable end (30 of figure 1B) for amplifying the signal receiving from the tip of probe. Therefore, It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system of Godshalk, and provide the a planar circuit arranged at he co-axial cable end, as taught by Roach for amplifying the signal receiving from the tip of probe.

As to claim 7, Roach disclose in Fig. 1B, the planar circuit includes at least one active circuit element (32 of figure 1B).

Response to Arguments

4. Applicant's arguments see remark on pages 3-8, filed 6/6/05, with respect to claims 1-8, 18-20 have been fully considered and are persuasive. The final rejection of claims 1-8, 18-20 has been withdrawn.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung X. Nguyen whose telephone number is (571) 272-1967. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (571) 272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TN
6/20/05

VINH NGUYEN
PRIMARY EXAMINER
A.U. 2829
06/22/05